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Summary record of the 33rd meeting
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Chairman: Ms. Carvalho (Vice-Chairman) ..... (Portugal)

Contents

Agenda item 71: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

Agenda item 61: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (*continued*)

Agenda item 106: Crime prevention and criminal justice (*continued*)

Agenda item 107: International drug control (*continued*)

Agenda item 64: Advancement of women (*continued*)

Agenda item 71: Human rights questions (*continued*)*

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)*

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)*

(e) Report of the United Nations High Commissioner for Human Rights (*continued*)*

* Items which the Committee has decided to consider together.

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In the absence of Mr. Butagira (Uganda), Ms. Carvalho (Portugal), Vice-Chairman, took the Chair.

The meeting was called to order at 2.40 p.m.

Agenda item 71: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

Draft resolution A/C.3/60/L.28: Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

1. **Ms. Feller** (Mexico), introducing the draft resolution on behalf of the sponsors, said that the purpose of the draft resolution was to renew the mandate of the Ad Hoc Committee and establish the general framework of the continuation of its work. The Ad Hoc Committee had made important progress in the past year, having concluded a complete reading of the draft convention prepared by its Working Group, in a very positive environment that had been enriched by the broad participation of civil society. On the basis of negotiations, the Chairman of the Ad Hoc Committee had elaborated a draft text designed to bridge the differences expressed in relation to individual draft articles. Her delegation welcomed the timely presentation of the draft, which would be the basis for future negotiations.

2. The coming year would be key for the work of the Ad Hoc Committee, and it was crucial to maintain the continuity and momentum that had characterized negotiations thus far. The sponsors therefore believed that all concerned stakeholders should be invited to continue to participate actively and constructively in the Ad Hoc Committee with the aim of concluding a draft convention and submitting it to the General Assembly at its sixty-first session (para. 3) and that the Ad Hoc Committee should hold two sessions in 2006 (para. 4). While the sponsors were conscious that such a level of engagement would require an important effort and resources by the stakeholders, they considered that such an effort would prove more efficient and give better results in the medium and long terms. The Ad Hoc Committee must also not forget its main goal, which was to achieve a high-quality convention that established the measures needed to guarantee the full enjoyment of all human rights for all persons with disabilities and their equal opportunities in all spheres of life.

3. Given the urgent need to make the necessary arrangements for the Ad Hoc Committee's next session in January, she hoped that the draft resolution would be adopted without a vote as early as possible. Lastly, she said that, in the third preambular paragraph, the words "universality, indivisibility and interdependence" should be replaced by "universality, indivisibility, interdependence and interrelatedness", and announced that Croatia, Grenada, Panama, Thailand, the former Yugoslav Republic of Macedonia and Turkey had joined in sponsoring the draft resolution.

4. **Mr. Khane** (Secretary of the Committee) announced that the following countries had also joined in sponsoring the draft resolution: Angola, Bangladesh, Benin, Bolivia, Botswana, Cameroon, the Congo, Eritrea, Guinea, Honduras, Jamaica, Kyrgyzstan, Mongolia, Nigeria and Senegal.

Agenda item 61: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (*continued*)

Draft resolution A/C.3/60/L.5/Rev.1: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

5. **The Chairman** said that the revised draft resolution contained no programme budget implications and invited the Committee to take action on it.

6. **Ms. Bowen** (Jamaica), speaking on behalf of the sponsors, said that Austria, Croatia, Finland, France, Norway, San Marino, Slovakia and Sweden had joined in sponsoring the revised draft resolution. Announcing a minor oral revision to the text, she said that paragraphs 13 and 15 had been combined and the word "and" added before "underlines" to make a new paragraph 13. The subsequent paragraphs had been renumbered accordingly. On behalf of the Group of 77 and China, she thanked all delegations for their cooperation and constructive spirit when negotiating the revised draft, which she hoped would be adopted by consensus.

7. **Mr. Khane** (Secretary of the Committee) announced that the following countries had also joined in sponsoring the draft resolution: Andorra, Armenia, Bulgaria, Canada, Estonia, Germany, Greece, Honduras, Iceland, Kazakhstan, Kyrgyzstan, Latvia, Liberia, Portugal, Spain, the former Yugoslav Republic of Macedonia and Ukraine.

8. *Draft resolution A/C.3/60/L.5/Rev.1, as orally revised, was adopted.*

9. **Ms. García-Matos** (Bolivarian Republic of Venezuela), explaining her delegation's position on the draft resolution, said that, as far as her delegation was concerned, the reference in the third preambular paragraph to "the commitments made at the 2005 World Summit" did not refer in any way to the 2005 World Summit Outcome (resolution 60/1) which, as it had stated on previous occasions, her delegation considered to be a mere working paper with no mandate whatsoever for her country.

10. **Ms. Shestack** (United States of America), explaining her delegation's position on the draft resolution and drawing attention to the reference to the need to take concrete actions on corporate responsibility and accountability, including for the prevention or prosecution of corruption (para. 17), said that, while her Government saw corruption as a tremendous challenge to democracy, it wished to emphasize that, where there was a need for setting standards of corporate social responsibility or for law enforcement, it was the responsibility of Governments to enforce corruption laws. Initiatives to promote corporate social responsibility should be voluntary. As for paragraph 15, her Government wished to reiterate that it did not favour financial mechanisms that would involve taxes on air travel or other forms of global taxation.

Agenda item 106: Crime prevention and criminal justice (*continued*)

Draft resolution A/C.3/60/L.8/Rev.1: Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

11. **Mr. Khane** (Secretary of the Committee) said that, in the eighth preambular paragraph, the phrase "resolution 60/1 of 16 September 2005" should be replaced by "resolution 60/___" with the understanding that it referred to draft resolution A/C.3/60/L.11/Rev.1, which had been adopted by the Committee on 21 October 2005 and would be numbered when adopted by the General Assembly.

12. Turning to the programme budget implications of the revised draft resolution and referring the Committee to paragraphs 8, 9, 18 and 19 of the text, he said that the Committee would recall that the General Assembly had appropriated $10,040,200 under section 16, Crime prevention and criminal justice, and $21,476,100 under section 17, International drug control, or a total of $31,516,300 for the United Nations Office on Drugs and Crime (UNODC) for 2004-2005. For 2006-2007, the Secretary-General proposed a programme budget totalling $33,043,800 under section 16, International drug control, crime prevention and criminal justice. Adoption of the draft resolution would not therefore entail any additional appropriation. He also drew the Committee's attention to section VI of General Assembly resolution 45/248 B of 21 December 1990, which reaffirmed that the Fifth Committee was the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions.

13. **Mr. Cavallari** (Italy), speaking on behalf of the sponsors, said that Afghanistan, Armenia, Bolivia, Canada, Cuba, Guinea, Iceland, Jordan, Kazakhstan, Liechtenstein, the Philippines and Viet Nam had joined in sponsoring draft resolution A/C.3/60/L.8/Rev.1. On the basis of suggestions made during informal consultations, a number of changes had been made to the text in response to, inter alia, the adoption of the Bangkok Declaration at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, the need to address technical assistance in a comprehensive and balanced manner, the need to provide UNODC with sufficient resources for the full implementation of its mandates and the importance of ratifying legal instruments. In keeping with tradition, the revised draft resolution was a product of the whole membership.

14. **Mr. Khane** (Secretary of the Committee) announced that the following countries had also joined in sponsoring the draft resolution: Algeria, Angola, Benin, Bulgaria, Burkina Faso, Burundi, Cameroon, Cape Verde, the Congo, Côte d'Ivoire, the Gambia, Haiti, Indonesia, Mali, Mozambique, the Niger, the

Republic of Moldova, Saint Vincent and the Grenadines, Uganda, the United States of America and Uruguay.

15. *Draft resolution A/C.3/60/L.8/Rev.1, as orally corrected, was adopted.*

16. **Ms. García-Matos** (Bolivarian Republic of Venezuela), explaining her delegation's position on the draft resolution, said that her Government attached great importance to strengthening the United Nations Crime Prevention and Criminal Justice Programme, as demonstrated by the fact that it had signed and ratified the United Nations Convention against Transnational Organized Crime and its Protocols, had recently promulgated a law against organized crime and was actively combating all forms of organized crime, particularly human trafficking and corruption. For that reason, her delegation had always joined in the consensus on the draft resolution. However, her delegation wished to express its reservations concerning the reference in the fourth preambular paragraph to the High-level Plenary Meeting of the General Assembly held in September 2005 and the corresponding footnote, which referred the reader to the 2005 World Summit Outcome. For reasons that she had already outlined, her delegation was not therefore able to sponsor the draft resolution.

17. **The Chairman** suggested that, in accordance with General Assembly decision 55/488, the Committee should take note of the report of the Secretary-General on preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin (A/60/157) and the report of the Secretary-General on the Eleventh United Nations Congress on Crime Prevention and Criminal Justice (A/60/172).

18. *It was so decided.*

Agenda item 107: International drug control (*continued*)

Draft resolution A/C.3/60/L.27: Providing support to Afghanistan with a view to ensuring effective implementation of its Counter-Narcotic Implementation Plan

19. **The Chairman** said that the draft resolution contained no programme budget implications and invited the Committee to take action on it.

20. *Draft resolution A/C.3/60/L.27 was adopted.*

Agenda item 64: Advancement of women (*continued*)

Draft resolution A/C.3/60/L.13/Rev.1: United Nations Development Fund for Women

21. **The Chairman** said that the revised draft resolution contained no programme budget implications.

22. **Mr. Hyassat** (Jordan), speaking on behalf of the sponsors, said that Angola, Argentina, Chile, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Ethiopia, Japan, Nigeria, Rwanda, Switzerland and the United Republic of Tanzania had joined in sponsoring the draft resolution. The widespread support for the revised draft, which was the result of informal consultations, demonstrated the international community's recognition of the important role played by the United Nations Development Fund for Women (UNIFEM). He hoped that the draft resolution would be adopted by consensus.

23. **Mr. Khane** (Secretary of the Committee) announced that the following countries had also joined in sponsoring the draft resolution: Andorra, Australia, Barbados, Benin, Bulgaria, Burundi, Cambodia, Cameroon, Cape Verde, Eritrea, Estonia, Grenada, Guinea, Guyana, Honduras, Iceland, Indonesia, Kyrgyzstan, Liberia, Madagascar, Malawi, Malaysia, Mauritania, Qatar, the Republic of Korea, Saint Vincent and the Grenadines, Sierra Leone, Togo, Turkey and Uruguay.

24. *Draft resolution A/C.3/60/L.13/Rev.1 was adopted.*

25. **Ms. Shestack** (United States of America) said that her delegation was pleased to join the consensus on the draft resolution with the following explanation of position. In connection with the second and third preambular paragraphs, which reaffirmed the Beijing Platform for Action and welcomed the declaration adopted at the forty-ninth session of the Commission on the Status of Women, she reiterated that the United States was firmly committed to the empowerment of women and the promotion of their enjoyment of universal human rights and fundamental freedoms and had devoted substantial resources to that end. However, while the Beijing Declaration and Platform for Action expressed important political goals that the United States endorsed, they did not create international legal rights or legally binding obligations on States under international law. Moreover, there had been an

international consensus at the forty-ninth session of the Commission that the Beijing documents created no new international rights, including a right to abortion. Reaffirmation by the United States of the goals, objectives and commitments of those documents did not constitute a change in its position with respect to treaties it had not ratified. The United States fully supported the principle of voluntary choice regarding maternal and child health and family planning. It had stated clearly and on many occasions, consistent with the International Conference on Population and Development, that it did not recognize abortion as a method of family planning or support abortion in its reproductive health assistance. The United States understood that there was an international consensus that the terms "reproductive health services" and "reproductive rights" did not include abortion or constitute support, endorsement or promotion of abortion or the use of abortifacients. The United States supported the treatment of women who suffered injuries or illnesses caused by legal or illegal abortion, including post-abortion care, and did not place such treatment among abortion-related services.

26. Turning to the seventh preambular paragraph, which noted that the number of States parties to the Convention on the Elimination of All Forms of Discrimination against Women was among the highest for human rights conventions, she said that the United States firmly maintained its belief in the sovereign authority of States to make any and all decisions about treaty ratifications.

27. **Ms. García-Matos** (Bolivarian Republic of Venezuela) said that she would appreciate it if anyone wishing to refer to her country would use its proper name: the Bolivarian Republic of Venezuela. Explaining her delegation's position on the draft resolution, she said that it reiterated its firm commitment to support UNIFEM initiatives aimed at providing assistance to activities that benefited women directly, incorporating women's issues into the main activities of both Governments and international organizations. However, it wished to express its reservations concerning the fourth preambular paragraph, not because of the commitment to promote gender equality and empowerment of women, but because of the explicit reference to the 2005 World Summit Outcome (A/60/L.1), which her delegation considered to be a mere working paper with no mandate whatsoever for her country.

28. **Mr. Murillo Carrasco** (Bolivia) said that Bolivia also wished to sponsor the draft resolution.

29. **Mr. Begg** (New Zealand) said that his delegation wished to make a short statement concerning the use of QuickPlace to notify delegations of upcoming action. The previous evening, there had been four separate and conflicting messages on QuickPlace, causing confusion in his delegation as to the draft resolutions on which it should be seeking instructions for today's meeting. Though the conflicting information had been relatively minor in the current instance, his delegation was concerned that the problem should become much more serious once the Committee moved into the busier half of the session. He therefore proposed that final notification of draft resolutions for action the following day should be issued no later than 5 p.m. and that messages disseminated by Bureau members to their regional groups and through QuickPlace should be consistent. He would appreciate it if the matter could be raised at the next Bureau meeting.

Agenda item 71: Human rights questions (*continued*) (A/60/40, 44, 129, 336, 392 and 408)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/60/134, 266, 272, 286, 299, 301 and Add.1, 305*, 321, 326, 333, 338 and Corr.1, 339 and Corr.1, 340, 348, 350, 353, 357, 374, 384, 392, 399 and 431; A/C.3/60/3 and 5)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/60/221, 271, 306, 324, 349, 354, 356, 359, 367, 370, 395 and 422 and Corr.1; A/C.3/60/2)

(e) Report of the United Nations High Commissioner for Human Rights (*continued*) (A/60/36 and 343)

30. **Mrs. Enkhtsetseg** (Mongolia) said that her delegation agreed with the United Nations High Commissioner for Human Rights that the central challenge currently was to translate human rights obligations into reality by bridging the implementation gaps at the national level. As a State party to over 30 international human rights treaties and conventions, Mongolia was committed to the promotion and protection of all human rights and had, since the

adoption of its Constitution in 1992, been actively involved in overhauling its legislation, including the Criminal Code and Civil Code, to bring it in line with international standards.

31. In August 2005, the National Human Rights Commission of Mongolia, established in 2001 in accordance with the Paris Principles, had hosted the Tenth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions. The participants had agreed, inter alia, to set up a working group to develop draft guidelines designed to strengthen the application of the Paris Principles in the Asia-Pacific region.

32. The National Human Rights Action Programme had been adopted in 2003 with a view to improving the capacity and accountability of the authorities; enhancing the participation of civil society, the mass media and the private sector; as well as encouraging public motivation for strengthening human rights protection and combating human rights violations.

33. Despite the political commitment to the protection and promotion of human rights in Mongolia, the country was hampered to a great extent by its knowledge gap and capacity gap. It also had to cope with emerging transborder issues, such as the spread of HIV/AIDS, human trafficking and migration, which required a collective response based on regional and international cooperation. Her delegation therefore welcomed the activities envisaged by the High Commissioner to enhance country engagement and develop effective partnerships to help ensure protection and promotion of human rights at the national level.

34. The implementation of human rights was contingent upon a sound monitoring system, and the revised draft harmonized guidelines on reporting under the international human rights treaties were an important tool for improving the reporting obligations of States parties. Her delegation was in favour of further enhancing the assistance provided by the Office of the High Commissioner to Member States in meeting their reporting obligations as well as in following up the recommendations of the relevant committees.

35. **Mr. Aydogdyev** (Turkmenistan) said that ensuring full respect for fundamental freedoms and human rights was one of the main priorities of his Government, which had adopted a number of substantive measures to that end during the past year. In October 2005, the People's Council had adopted legislation that improved the country's electoral system. Aware of the importance of protecting and respecting the human rights of refugees, the Government, by a presidential decree, had granted citizenship to more than 16,000 refugees from neighbouring countries who had been residing in Turkmenistan for a number of years.

36. As a party to the Convention on the Elimination of All Forms of Discrimination against Women, Turkmenistan consistently pursued a policy of full and equal rights of participation for women in the political, social, economic and cultural life of the country. The Women's Union of Turkmenistan had devised a national plan of action on the implementation of the Beijing Declaration and Platform for Action, designed to strengthen the social status of women and develop mechanisms of interaction between Government structures and relevant international organizations. The National Institute for Democracy and Human Rights advised various governmental agencies on Turkmenistan's international obligations arising from the various human rights conventions to which it was a party and, where applicable, forwarded individual complaints to the relevant authorities for action.

37. Earlier in the year, the National Parliament had established a committee on human rights, which took the lead in drafting legislation to enhance fundamental freedoms and rights. Other efforts to improve the human rights situation included a law prohibiting the use of child labour and a legislative act to ensure the religious rights of citizens. The Government had engaged in dialogue with the Office of the High Commissioner and worked with a team from that Office on a technical assistance programme.

38. However, the steps taken by the Government of Turkmenistan in the human rights area had not been universally acknowledged and a number of Member States had decided to initiate another draft resolution on the human rights situation in his country. His Government firmly believed that human rights could not be imposed from outside and that country-specific resolutions only undermined trust among potential partners and politicized the United Nations human rights machinery. Building a democratic society and ensuring respect for human rights was a political choice of the Government, which would welcome any support and assistance in implementing those rights. Only through dialogue, cooperation and engagement

could the cause of human rights be advanced locally and globally.

39. **Mr. Anshor** (Indonesia) said that his Government was prepared to participate in the process leading to the establishment of a more effective and less politicized Human Rights Council. His delegation had noted the plan of action of the Office of the High Commissioner for Human Rights and shared the High Commissioner's view that current challenges to human rights required a concerted response by the international community as a whole.

40. At the national level, the House of Representatives had adopted two laws to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, respectively, thereby providing an additional legal framework for the promotion and protection of human rights. All human rights were universal, indivisible and interdependent. Equal attention should therefore be given to civil and cultural rights alongside economic, social and cultural rights, as well as the right to development.

41. Poverty eradication in developing countries should become the main focus of the United Nations. Although developing countries were primarily responsible for formulating their national strategic development plans, developed countries had the responsibility, as global partners, to ensure a favourable international environment for the advancement of human rights, security and development in developing countries. Believing that the right to development promoted social justice and the enjoyment of human rights and fundamental freedoms, his Government expected the right to development to be a priority issue of the future Human Rights Council. Promoting that right as an integral part of the Council's agenda would ensure that all stakeholders enjoyed the right to development.

42. **Mr. Alday** (Mexico) said that his country had been conducting an active human rights policy and had recently ratified the Optional Protocol to the Convention against Torture and the Rome Statute of the International Criminal Court. As stated in the World Summit Outcome, the protection of human rights constituted a basic value for all Member States. Consequently, every attempt should be made to ensure that human rights was given high priority in the work of the United Nations. Since 2000, Mexico had been cooperating with the Office of the High Commissioner for Human Rights and, as a result, had introduced a national human rights programme in December 2004.

43. Although recent events had confirmed that terrorism was a serious problem, the fact that States had an obligation to protect the human rights of their populations did not justify the suspension or violation of human rights of persons under their jurisdiction. Respect for human rights, far from being an obstacle, was an effective tool to combat terrorism. His delegation welcomed the decision of the Commission on Human Rights to appoint a Special Rapporteur whose mandate would be to make concrete recommendations on the promotion and protection of human rights and the adoption of measures to counter terrorism, including, at the request of States, technical assistance on such matters.

44. As to vulnerable groups, Mexico had made proposals regarding standards for the protection of migrants and persons with disabilities. His delegation planned to submit two draft resolutions on the subject at the current session of the General Assembly. It was altogether unacceptable that the human rights situation of migrants should deteriorate as a result of discrimination and exclusion. The high-level dialogue on international migration and development would provide an opportunity for the international community to examine that matter thoroughly in all its aspects.

45. **Mr. Saeed** (Sudan) stressed the need to respect cultural and religious diversity in dealing with human rights issues. Multilateral diplomacy should guide any human rights reform measures, including the mandate of the Human Rights Council, which should be objective and accountable. It was vital to respect the sovereignty of States and pay heed to violations of economic, social and cultural rights, as well as civil and political rights. The international community should adopt measures to deal with human rights violations. The right to development, food and dignity were priorities for developing countries and required adequate mechanisms to promote them, including technical cooperation. However, technical cooperation should be free of any political bias and should refrain from imposing any particular system on the receiving countries.

46. The statement by the United States representative on the situation in the Sudan was in total contradiction to the observations made by the Special Rapporteur on

the situation of human rights in the Sudan, who had spoken freely to the authorities and visited prisons in the country. The statement reflected the position of the United States, not that of the international community. The International Commission of Inquiry on Darfur had concluded that the Government of the Sudan had not pursued a policy of genocide and the United States had not objected at that time. The Government had acknowledged that there were human rights problems as a consequence of war but had showed a real political will to find a political solution and to help the displaced persons.

47. The United States was in no position to make any pronouncements on human rights violations. It should invite a commission of inquiry to visit Guantanamo Bay so that the international community could see what was happening and take adequate measures. The United States should also be held accountable for the desecration of sacred symbols in the Abu Ghraib prison in Iraq.

48. Canada was another country that was not qualified to talk about human rights violations and should put its own affairs in order before setting itself up as a judge on such matters.

49. **Mr. Kovalevsky** (Belarus) said that the promotion and protection of human rights had become one of the most important components of United Nations reform. Although such rights had become more prominent in the work of the Organization, the mechanism for defending them had remained unchanged. Belarus had long been in favour of improvements and had long warned that the Commission on Human Rights could not operate effectively or resolve topical problems, because that body was defeating the aims of its original mandate and replacing dialogue and cooperation with political considerations, a selective approach and double standards. It had fallen into a routine of adopting resolutions condemning certain countries whose human rights situations were no worse than those of others, while allowing other countries to commit serious violations without criticism.

50. Belarus was against country-specific resolutions, which destroyed the basis of international cooperation on human rights, encouraging mistrust and confrontation rather than dialogue and cooperation. Being selective and politically motivated by definition, such resolutions prevented human rights issues from being examined honestly and fairly, ignored the fact that such rights were interlinked and interdependent, and widened the division between political and civil rights, on the one hand, and economic, social and cultural rights and the right to development, on the other hand. Belarus consequently supported the view which the High Commissioner for Human Rights had expressed in her report (A/60/36) that cooperation and partnership must be given a greater role.

51. The increase in racial intolerance, xenophobia, human trafficking and action by extremist and terrorist groups, and the worsening situation of refugees and migrants, among other problems, raised human rights concerns in many countries, including those which were supposed to be developed democracies. A less individual, more integral view of human rights would encourage mutual respect and trust between countries. Belarus did not accept the criticism which some countries had levelled at it. The 2004 election and referendum had confirmed public support for the President's course of action. The presence of independent international observers was proof of the transparency of the electoral process.

52. Human rights reform in the Organization had reached a watershed and must be methodical, focusing on results rather than speed. Belarus was in favour of an open-ended General Assembly working group on the establishment of a Human Rights Council to take account of a variety of views, particularly those of small and developing States. Unless decisions were taken by consensus, Member States would not support or trust the new body, and negotiations would be protracted.

53. Belarus felt very strongly that trafficking in human beings destroyed the dignity of hundreds of thousands and had briefed the Member States on its initiative for a global partnership against slavery and human trafficking in the twenty-first century, under the auspices of the United Nations.

54. **Mr. Gaspar Martins** (Angola) said that the special procedures of the Organization's human rights machinery were important to assessing human rights objectively and ensuring that they were protected nationally and internationally. The 2005 World Summit had confirmed the need to upgrade the Commission on Human Rights: while international human rights conventions had achieved much, challenges remained. As the Commission on Human Rights Special

Rapporteur on the right to food had indicated in his presentation to the Committee, the human rights enshrined in the international conventions must be understood within a broader framework in which peace, development and human rights were mutually reinforcing. Overemphasizing some human rights at the expense of others had led to selectivity and double standards.

55. Aware that States themselves had primary responsibility for promoting and protecting human rights, Angola had embarked on reform to ensure that the content and implementation of its legislation was in line with the international human rights standards to which it was committed and had complied with its reporting obligations to the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child. Its Constitution gave international human rights conventions the force of domestic law. Believing that the achievement of the Millennium Development Goals was a foundation for the full enjoyment of all human rights, Angola had adopted a national poverty-reduction strategy.

56. The Commission on Human Rights had been criticized, sometimes rightly, for being selective, politicized and ineffective, and for duplicating some of the work of the Third Committee and treaty bodies. The 2005 World Summit had provided an opportunity, and clear guidance, for action. However, in order to succeed, the Human Rights Council and the special procedure mandate-holders must promote mutual understanding through dialogue and cooperation. The resources of the Office of the High Commissioner for Human Rights must be increased, and the change from standard-setting to implementation advocated by the High Commissioner herself deserved support.

57. **Ms. García-Matos** (Bolivarian Republic of Venezuela) said that full guarantees of human rights were the backbone of State policy and had been enshrined in the Venezuelan constitution. Her country had ratified international human rights conventions and had fulfilled its reporting obligations under those conventions. It had carried out comprehensive judicial reform, reinforced basic public services and promoted employment to eliminate poverty, hunger and social exclusion.

58. Her Government believed that States should have been given the opportunity to comment on the reports of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on violence against women, its causes and consequences before their publication. While the Special Rapporteurs fulfilled an important role, they must be selected according to objective and reliable criteria and must seek dialogue and cooperation with States rather than individual and selective criticism and penalties.

59. Echoing the report of the Secretary-General on protecting human rights and fundamental freedoms while countering terrorism (A/60/374), condemning all terrorist acts and methods and expressing solidarity with the victims of terrorism, she wished to draw attention to the case of Luis Clemente Posada Carriles, a terrorist, accused hijacker and torturer who had escaped Venezuelan justice and whom the United States of America was refusing to extradite. Her Government believed that terrorism was committed not only by those who engaged in terrorist acts, but also by those who harboured terrorists. It also wished to reiterate that a clear distinction must be drawn between terrorist acts and the struggle of peoples to resist foreign occupation, establish self-determination and maintain or restore sovereignty.

60. **Mr. Belinga Eboutou** (Cameroon) said that the concept of human rights expressed at the 2005 World Summit must be translated into action. The Third Committee was debating how to forge a unanimous view of human rights, as well as a structure to promote those rights. The debate was centred on the individual as the root and focus of peace and as the beneficiary of development. The very recent General Assembly resolution on holocaust remembrance was a reminder that the international community had begun to codify human rights in the wake of the Second World War in order to prevent a repeat of that war's barbaric attacks on human beings and human dignity.

61. The Universal Declaration of Human Rights had been followed by a number of international covenants and conventions. Despite the progress made, serious human rights violations were still being committed and there was still a tendency to promote a single right or category of rights to the detriment of others and to exploit human rights for other ends. A gap had opened up between the letter and spirit of the human rights declarations and the reality of everyday life.

62. The make-up of modern society justified the focus, at the 2005 Summit, on issues such as the right

to life and the right to development. Human rights could not be asserted when people went hungry, when women lost their lives in childbirth, when many suffered the effects of lack of drinking water and illiteracy and when successive generations would suffer the same fate unless action was taken. All human rights were universal, indivisible, interrelated, interdependent and mutually reinforcing.

63. His delegation supported the proposal for a Human Rights Council, which must develop an all-encompassing view of human rights, respecting the diversity of cultures and civilizations. It called for the Office of the United Nations High Commissioner for Human Rights to be given more resources, at both central and local level, and supported the appeal of the Secretary-General, in his report on the Subregional Centre for Human Rights and Democracy in Central Africa (A/60/353), for additional funds for that Centre, whose assistance was much in demand.

64. His Government was confident that the United Nations, its Member States, NGOs and civil society could work together to recast cooperation on human rights. To that end, the world must have democratic governments committed to the rule of law and to guaranteeing respect for human rights, and continued efforts to eradicate poverty, which was the most serious threat to human dignity and to peace.

Statements made in exercise of the right of reply

65. **Mr. La** Yifan (China) said that he could deal with the remarks of the United States of America and of Australia together, since the two countries had a similar history of genocide, land seizures from indigenous populations, and discrimination against minorities and asylum-seekers. Both belittled basic rights, and often they cast the only two votes against relevant resolutions. New resemblances had been emerging, like the rolling back of civil liberties and the rise in the power of the police. Now the United States was even attempting to legalize the use of torture. China valued its constructive relationship with both countries, and felt it could afford to be candid. It looked forward to the day when the two countries would address their own, and each other's, human rights problems openly in the Committee.

66. **Mr. Aksen** (Turkey) said that the statement made by the representative of Greece was made up of false accusations and distortions. The intervention by Turkish troops in 1974 had been prompted by massacres of Turkish Cypriots. United Nations peacekeeping troops had been in Cyprus since early 1964 because at the end of 1963 Greek Cypriots had dislodged the partnership Government and taken over the country, forcing the Turkish Cypriots to live in enclaves, where they were still being subjected to many human rights violations. In 1974 Turkey had intervened as a "guarantor Power", under the 1960 Agreements, to prevent annexation of Cyprus by Greece.

67. In 2004, Turkish Cypriots had voted overwhelmingly for the Annan unification plan, while the majority of Greek Cypriots had voted against it and against partnership with the Turkish Cypriots. Since then, the situation in the island had changed for the Greek Cypriots, with Greek Cyprus's accession to the European Union, but Turkish Cypriots remained as isolated as ever, in spite of international efforts to help them and an appeal by the Secretary-General for cooperation with a view to eliminating unnecessary barriers that had the effect of isolating the Turkish Cypriots and impeding their development (S/2004/437, para. 93). On 30 May 2005 the Deputy Prime Minister and Minister for Foreign Affairs of Turkey had circulated proposals for the lifting of all restrictions on the island, as reflected in document A/59/820. He expected the international community to support the people of Turkish Cyprus.

68. **Mrs. Thandar** (Myanmar), responding to statements by the representatives of Australia, the United States of America, and Canada, said that referring to her country by a name other than its official one showed a regrettable lack of respect and sensitivity. Myanmar implemented strictly all the many United Nations instruments to which it was a party, and was moving towards democracy with a National Convention where 633 of the 1,088 delegates were from national minorities and over 100 represented the many armed groups in the country. Given the difficulties of persuading armed groups to participate in negotiations, Myanmar rejected unwarranted criticism of the degree to which its National Convention was inclusive. Far from being a threat to the region, it was a factor for peace and stability and had been cited as a model society for religious tolerance by Mrs. Ogata. As for Canada's remarks concerning forced labour, Myanmar continued to cooperate with the International Labour Organization

to eradicate forced labour and was striving to uphold the basic human rights of all its citizens.

69. **Ms. Gardashova** (Azerbaijan), responding to the statement by Armenia and the letter circulated in document A/C.3/60/5, stated that Armenia's efforts to camouflage its annexation of Azerbaijan's territory under the banner of "self-determination" were doomed to failure. The self-styled separatist regime in Nagorny Karabakh had seceded unilaterally from Azerbaijan but was recognized by no other country, and the region would always be an integral part of Azerbaijan. The figures in the Secretary-General's report in document A/60/305 no longer reflected the true situation, because under a new law Azerbaijan could give citizenship to 250,000 Azerbaijani refugees expelled from Armenia. Her Government dismissed Armenia's accusations of a blockade against Nagorny Karabakh, since a State could not blockade its own territory; on the contrary, it was Armenia which was blockading Azerbaijan, with Nakhichevan completely cut off from the rest of Azerbaijan except by air, to the detriment of the 50,000 jobless people there, including 1,400 families forced out of Nagorny Karabakh. Apart from the road link via Iran, for whose cooperation her country was very grateful, the only way out of the blockade was the State-subsidized air shuttle. Armenia had mentioned in its letter the idea of re-opening communications as a confidence-building measure, without preconditions and without benefits to Armenia; that suggestion required further elaboration. The Azerbaijani proposal to re-open the former transport corridors, made at the current session by the Minister for Foreign Affairs, should not be overlooked. It would be constructive of Armenia to withdraw its forces from the four areas along the railroad linking Nakhichevan to the rest of Azerbaijan. Armenia's refusal of Azerbaijani rescue teams to help after its earthquake was not a positive sign, since democratization and stability in the southern Caucasus would only be possible once all the States in the region were willing to cooperate.

70. **Ms. Halabi** (Syrian Arab Republic) condemned the practice of politicizing the human rights question by singling out a State or group of States. That practice was especially unfair in the case of her country, which had acceded to more United Nations conventions than some of the States pointing the finger of accusation. It was no longer tenable for the United States of America to claim to be defending human rights while violating them itself in other parts of the world.

71. Responding to the representative of Canada, she pointed out that the Syrian Arab Republic upheld its international obligations, especially under those Conventions to which it had acceded, and suggested that the meetings should be used to formulate criteria to which all were committed rather than to raise controversies over reports that lacked objectivity.

72. **Mr. Schlosser** (Israel) expressed disappointment at the similarity of the statement by Palestine to those of previous sessions, in spite of the dramatic changes which had taken place in the country. The Palestinian Authority had to assume responsibility for implementing its part of the road map, rather than speak as though there were no terrorism and human rights violations on the Palestinian side. The commitment to peace made by Prime Minister Sharon and Chairman Mahmoud Abbas at the Sharm el-Sheikh meeting had been followed by Mr. Sharon's courageous withdrawal of all troops and civilians from Gaza and part of the West Bank. It was now the task of the Palestinian Authority to disarm the Palestinian terrorists who had perpetrated more than 26,000 attacks against Israeli targets in the past five years. Israel sought peace, and the Gaza disengagement was a window of opportunity for both peoples. If the Palestinians would only reject violence and terror and discontinue unhelpful rhetoric, they would establish the climate necessary for moving forward towards cooperation and peace.

73. **Mr. Pak** Tok Hun (Democratic People's Republic of Korea), replying to statements by the representatives of the United States of America and Australia, regretted the levelling of stereotyped human rights allegations against selected countries, which refused to submit, and later intervening in their internal affairs in order to establish a regime more to the accusers' liking. The United States was clearly aiming at "system change" and the collapse of the country's Government, with its "North Korea Human Rights Act" and the appointment of a special envoy for human rights in North Korea. The United States was quick to accuse others, but silent on its own appalling human rights record, which included such acts as occupying an independent State and massacring its civilians. In the United States only the rich had privileges. Abu Ghraib and Guantanamo were merely the tip of an iceberg, and the United States should repent its grave violations of human rights. Australia, too, should refrain from

applying double standards and making provocative, fault-finding statements.

74. **Mr. Vohidov** (Uzbekistan), said that various of the comments made by the United Kingdom (on behalf of the European Union), the United States of America and Canada were based on allegations and rumours, in an attempt to manipulate human rights standards for their own ends. A draft resolution would be submitted by the European Union concerning the events in Andijan, and it was necessary to clarify the circumstances and state what exactly had happened. In May 2005, several armed groups had attacked a military unit, releasing and arming 500 prisoners from the city jail, officials of the city administration had been attacked and taken hostage; and the insurgents had tried to seize Andijan with the political motivation of overthrowing Uzbekistan's constitutional Government. The investigation, which had been carried out by the competent authorities, had been monitored by the country's parliament and by an international group made up of foreign diplomats working in the country, which unfortunately the United States and the European countries had refused to join, stating a preference for an international investigation, which would clearly be a violation of the principle of non-interference in the internal affairs of a sovereign State. Uzbekistan would view calls for such an investigation as unjustified pressure on the country, which would push Central Asia into turmoil and allow terrorists and extremists to exploit the situation. Any attempt by the European Union and the United States of America to inflate the issue would discriminate against Uzbekistan's efforts to build a free and democratic society.

The meeting rose at 5.38 p.m.